

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

LULAC, *et al.*,

Plaintiffs,

v.

GREG ABBOTT, in his official capacity as
Governor of Texas, *et al.*,

Defendants.

Case No.: 3:21-CV-00259-DCG-JES-JVB
[Lead Case]

ROY CHARLES BROOKS, *et al.*,

Plaintiffs,

v.

GREG ABBOTT, in his official capacity as
Governor of Texas, *et al.*,

Defendants.

Case No.1-21-CV-00991-DCG-JES-JVB
[Consolidated Case]

BROOKS PLAINTIFFS' PRETRIAL DISCLOSURES

The Brooks Plaintiffs hereby submit the following Pretrial Disclosures pursuant to Federal Rule of Civil Procedure 26(a)(3) and the Court's Pretrial Scheduling Order (Dkt. 880). The Brooks Plaintiffs reserve the right to amend and supplement these Pretrial Disclosures, and to respond to Defendants Pretrial Disclosures, as appropriate.

I. WITNESSES

Brooks Plaintiffs' Witness List is set forth in **Exhibit A** attached hereto. Brooks Plaintiffs do not know the precise nature and scope of the testimony and evidence that Defendants may seek to introduce at trial. Accordingly, Brooks Plaintiffs reserves the right to modify, amend, or supplement this witness list leading up to and through trial based on case developments, including

without limitation the right to: (1) call its witnesses in any order; (2) not call one or more witnesses; (3) call live or by deposition any witness identified on Defendants' witness list and any witness necessary to rebut Defendants' case, arguments, and/or evidence, and/or to authenticate or lay the foundation for the introduction of documents to which Defendant objects; (4) reasonably supplement or amend this Witness List through and including the time of trial to the extent permitted by the Court; (5) introduce deposition testimony as impeachment evidence; or (6) change a witness from a live witness to a witness testifying by deposition, and vice versa. Brooks Plaintiffs also reserves the right to supplement or modify this witness list in response to rulings made by the Court. Brooks Plaintiffs' identification of any witness listed herein is not an admission that the witness's testimony would be admissible if proffered by Defendants.¹ Brooks Plaintiffs also intend to rely upon the testimony elicited from other Plaintiffs and call their witnesses concurrently for such purposes.

II. TRIAL EXHIBITS

Brooks Plaintiffs' Preliminary Trial Exhibit List is set forth in **Exhibit B** attached hereto. Brooks Plaintiffs reserves the right to introduce in evidence any documents identified by Defendants or any other plaintiff in their Pre-Trial Disclosures and to introduce additional documents as rebuttal or impeachment evidence. Brooks Plaintiffs reserves the right to amend its list of trial exhibits based on the outcome of those pending motions.

Brooks Plaintiffs' list of trial exhibits does not include demonstrative exhibits, which will be identified and exchanged at a mutually agreeable time prior to trial. Brooks Plaintiffs will serve its objections to Defendants' trial exhibit list and any additional trial exhibits in accordance with the Court's Pretrial Scheduling Order.

¹ Pursuant to the parties' agreement, the parties will exchange deposition designations as required under Federal Rule of Civil Procedure 26(a)(3) for any witnesses testifying by deposition on May 7, 2025.

May 2, 2025

Respectfully submitted,

/s/ Chad W. Dunn

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CERTIFICATE OF SERVICE

I certify that all counsel of record were served a copy of the foregoing this 2nd day of May 2025, by email.

/s/ Chad W. Dunn

Chad W. Dunn